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INTERIM REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN TAJIKISTAN

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1274 (1999) of 12 November 1999. It brings up to date developments in Tajikistan and the activities of the United Nations Mission of Observers in Tajikistan (UNMOT) since the last report of 4 November 1999 (S/1999/1127).

II. MAIN DEVELOPMENTS

2. At the time of my last report, the United Tajik Opposition (UTO) had suspended its participation in the Commission on National Reconciliation (CNR) and threatened to boycott the presidential election over the handling of the registration of opposition candidates. At the suggestion of Ivo Petrov, my Special Representative, the CNR had established a working group to resolve these issues. On 5 November, the eve of the presidential election, President Rakhmonov and UTO leader Nuri signed a 22-point protocol on political guarantees for the preparation and conduct of the election to the parliament. The presidential election was held on 6 November, as scheduled, with UTO participation. President Rakhmonov was re-elected for a seven-year term. On 8 November, the UTO resumed its participation in the CNR.

3. The CNR immediately took up the draft electoral law. The two most contentious issues were the number of seats in the lower house of the parliament, and the timing of the local elections, which have an impact on the composition of the upper house. Backed by the Contact Group of Guarantor States and International Organizations, UNMOT worked closely with the CNR, proposing compromise solutions to overcome deadlocks. The Organization for Security and Cooperation in Europe (OSCE) Mission in Dushanbe was also active in this matter.

4. On 3 December, President Rakhmonov and Mr. Nuri reached an agreement that the Assembly of Representatives (lower house) would comprise 63 seats and the National Assembly (upper house) 33 seats. It was also agreed that the local elections would be conducted simultaneously with the election to the Assembly of Representatives. On 10 December, the new electoral law was adopted by parliament.

5. From 14 to 17 December, the third joint assessment mission of the United Nations and OSCE visited Tajikistan to determine whether the overall legislative, administrative and political framework for the election met standards that would allow the two organizations to observe the election. The mission found a number of shortcomings in the electoral law. For instance, no provision was made for independent domestic observers, while party observers could raise questions only with the approval of the election commission chairman; no deadline was set for the withdrawal of a candidacy, leaving room for pressure on candidates to withdraw at the last minute; the provisions for equal access to the media were not sufficiently precise. In addition, the Central Commission on Elections and Referenda (CCER) had not issued regulations on the implementation of the electoral law, and no written instructions had been given to the lower election commissions. However, the joint mission also found a level of political pluralism, in that the election would be contested by several political groupings. It therefore recommended that, despite shortcomings in the electoral environment, the United Nations and OSCE should deploy a joint observation mission, which could have a positive impact on strengthening the element of pluralism.

6. In accordance with this recommendation, the United Nations and OSCE deployed the Joint Electoral Observation Mission (JEOM), in the hope that the engagement of the two organizations in the country's first multi-party election would serve to promote democratic principles. The two organizations agreed that the JEOM would base its assessment on the document adopted at the Copenhagen Meeting of the Conference on the Human Dimension of CSCE in 1990 (the Copenhagen Document), to which Tajikistan, as a participating State of OSCE, has committed itself.

7. The JEOM arrived in Tajikistan in January and February 2000, comprising 10 core staff and 13 observers from OSCE, and 5 electoral experts from the United Nations. UNMOT provided logistic support and premises through its four field offices in Khorog, Khujand, Kulyab and Kurgan-Tyube and a temporary electoral office in Garm. UNMOT's military observers provided communications back-up and liaison with the local authorities on security matters. On polling day, the JEOM deployed 86 short-term observers drawn from among the international organizations present in Tajikistan. The short-term observers visited some 300 of the 2,761 polling stations and also observed the counting of the votes and tabulation of the results.

8. The security situation deteriorated during the electoral campaign. There were a number of violent incidents, the most serious of which occurred on 16 February when a bomb exploded in the car of the Mayor of Dushanbe. The Mayor was injured and a candidate of the ruling People's Democratic Party who was riding with him was killed. Although not all of the incidents reported were attributable to the election, they contributed to an atmosphere of insecurity.

9. The registration of candidates was completed on 6 February. A total of 331 candidates were registered to contest the 63 seats in the lower house. Two thirds (223), both members of political parties and

of five candidates. The ballot was held on 27 February, without serious incident.

10. On 28 February, the JEOM issued its preliminary findings and conclusions. It noted the significance of the inclusion of former warring parties and others in the electoral process and the fact that Tajikistan had held its first multi-party election in an atmosphere free of violence. However, it also pointed out that the election did not meet the minimum standards. It listed weaknesses in the legislation, which failed, among other things, to ensure the independence of the election administration commission, and the minimum level of transparency during voter registration, printing of ballots, tabulation, announcement, and publication of the results. On polling day, there was a high rate of proxy voting in more than 68 per cent of the precincts observed and voters were allowed to cast ballots without proper identification documents in 67 per cent of those precincts.

11. On 1 March, the CCER announced the preliminary results of the first round of the election. According to the Commission, 93.23 per cent of voters cast their ballot; the ruling People's Democratic Party won 33 seats, 18 by direct election and 15 through its list; the Communist Party won 7 seats, 2 by direct election and 5 through its list; the Islamic Revival Party won 2 seats, both through its list. Independent candidates won in eight constituencies, but two were declared invalid, requiring a new vote that is to be held at the end of April. In 12 constituencies, where no candidate received a majority of the vote, a run-off election was held on 12 March. According to results announced by the CCER, the ruling People's Democratic Party won in seven constituencies; in respect of the remaining five constituencies, three went to independents, and the results for the last two were not yet available at the time this report was finalized. The Socialist Party, the Democratic Party, and the Party of Justice did not reach the threshold of 5 per cent of the votes required to win a seat in parliament.

12. The election to the 33-seat National Assembly (upper house) is scheduled to take place on 23 March. The National Assembly is made up of regional representatives, 25 of them elected by local assemblies, and 8 deputies appointed by the President.

Reintegration of former opposition fighters

13. In the period between 16 November 1999 and 5 February 2000, UNMOT carried out 34 visits to reintegrated units of former opposition fighters, either independently or together with members of the CNR military subcommission and representatives of the department concerned (Ministry of Defence, Ministry of the Interior or the State Border Protection Committee). Many units complained of non-payment of salaries, lack of food and equipment (including uniforms) and inadequate accommodation. They also complained that they had received no instructions, training or visits from their superior headquarters.

14. Work in the job creation projects for former fighters in the Karategin valley was interrupted in November by the onset of winter. It will be resumed

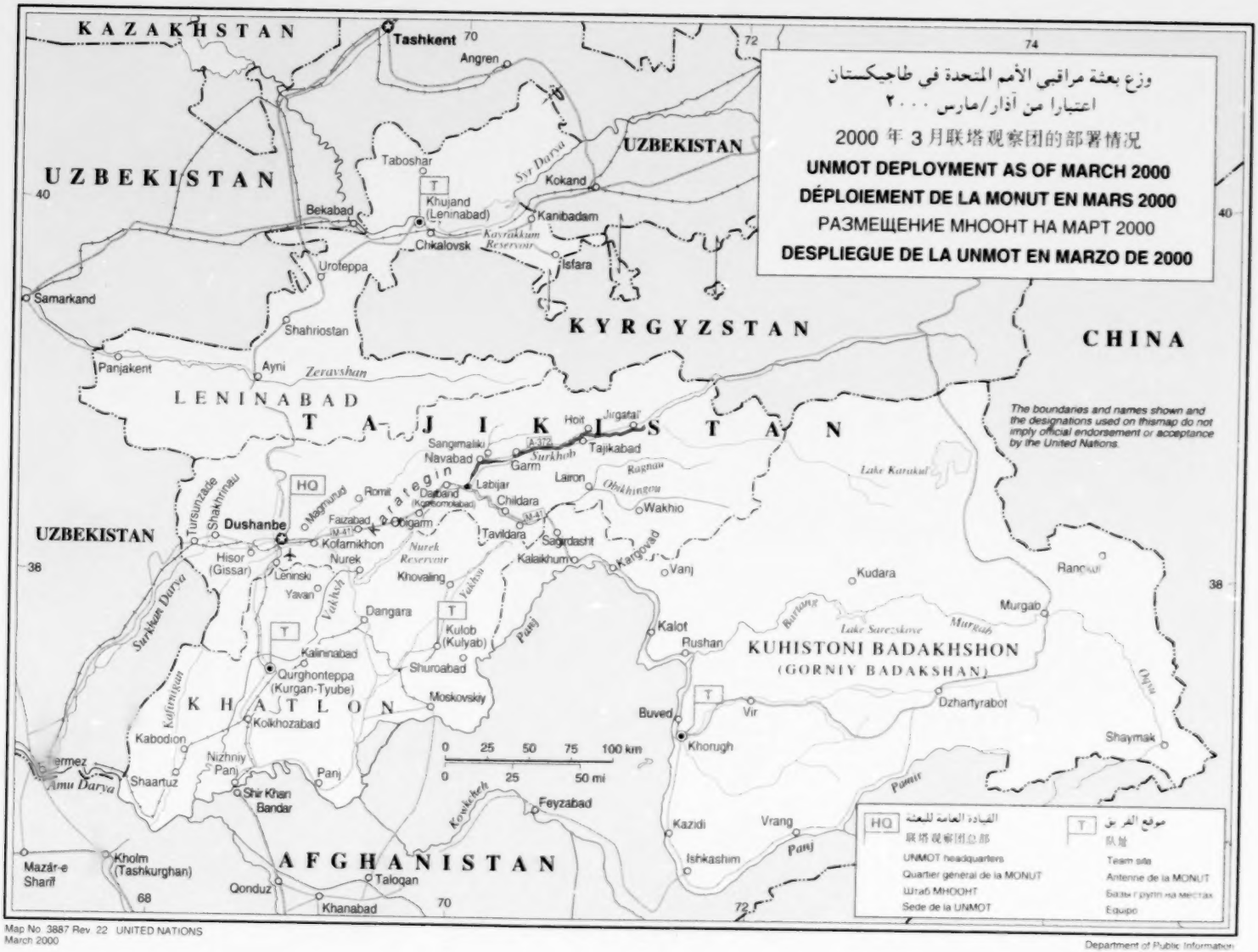
III. OBSERVATIONS

15. With the holding of the first multi-party parliamentary election in Tajikistan, the transition period envisaged in the General Agreement on the Establishment of Peace and National Accord in Tajikistan (S/1997/510) is coming to a close and thus so is the process that UNMOT was set up to support. This marks a significant achievement. After years of fighting, the transition was difficult and threatened by several serious crises. Nevertheless, the Tajik parties managed to overcome the obstacles and put their country on the path to national reconciliation and democracy.

16. The United Nations has played an important part in this success. The General Agreement was reached under its auspices and with its active involvement, and UNMOT, supported by the Contact Group, was instrumental in ensuring the implementation of its provisions. In difficult and often dangerous conditions, the mission has fulfilled its tasks well. I intend to withdraw UNMOT when its mandate expires on 15 May. The military observers are gradually being drawn down.

17. While there is cause for satisfaction at the overall success of the mission, there can be no doubt that much remains still to be done. As the recent elections have shown, the move towards a stable democracy has only just begun, and it is important for the international community to stay engaged and continue to provide assistance. Similarly, there are still too many men under arms for a country that is at peace; more should be encouraged and helped to return to civilian life. As the United Nations projects in the Karategin valley show, much can be achieved in this regard with relatively modest means.

18. I am currently consulting with the Government of Tajikistan about a possible role for the United Nations in the period of post-conflict peace-building and consolidation. This role would be performed by a small office similar to those established in other countries that have gone through violent conflicts. I shall inform the Security Council about the outcome of these consultations.



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